



United States Department of State

Washington, D.C. 20520

December 19, 2019

Ruby J. Krajick  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007

**Estate of John P. O'Neill, Sr., et al. v. Republic of the Sudan, 18-cv-12114**

Dear Ms. Krajick:

I am writing regarding the Court's request for transmittal of an Summons, Supplemental Class Action Complaint, and Notice of Suit to the Republic of Sudan pursuant to 28 U.S.C. Section 1608(a)(4) as a defendant in the above referenced lawsuit.

The United States Embassy in Khartoum, Sudan transmitted these documents to the Ministry of Foreign Affairs of the Republic of Sudan under cover of diplomatic note No. 985, dated and delivered on December 8, 2019. A certified copy of the diplomatic note is enclosed.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Hess", with a long horizontal flourish extending to the right.

Jared N. Hess  
Attorney Adviser  
Overseas Citizens Services  
Office of Legal Affairs

Cc: Bruce Strong  
Anderson Kill P.C.  
1251 Avenue of the Americas  
New York, NY 10020



*Embassy of the United States of America*

**CERTIFICATION**

I, Daniel D. Fenech, Consul in Khartoum, Sudan certify that this is a true copy of the Embassy of the United States of America diplomatic note number 0985 dated December 8, 2019 and delivered to the Ministry of Foreign Affairs of the Republic of the Sudan on December 8, 2019.

A handwritten signature in blue ink, consisting of a large, stylized 'D' followed by a horizontal line.

Daniel D. Fenech  
Consul



December 9, 2019

No.985

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of the Sudan and refers the Ministry of Foreign Affairs of the Republic of the Sudan to the lawsuit Estate of John P. O'Neill, Sr., et al. v. Republic of the Sudan, 18-cv-12114, which is pending in the U.S. District Court for the Southern District of New York. The Republic of the Sudan is a defendant in this case. The Embassy transmits a Summons and Supplemental Class Action Complaint herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Government of the Republic of the Sudan as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the

Embassy requests that the enclosed Summons and Supplemental Class Action Complaint be forwarded to the appropriate authority of the Republic of the Sudan with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons and Supplemental Class Action Complaint the Embassy is enclosing a Notice of Suit prepared by the plaintiff, which summarizes the nature of the case and includes references to pertinent U.S. laws concerning suits against foreign States.

Under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of the Sudan the assurances of its highest consideration.

Embassy of the United State of America

December 8, 2019



**Attachments:**

1. Summons, Supplemental Class Action Complaint, and Notice of Suit
2. Translations